# Radical Abolitionist.

"PROCLAIM LIBERTY THROUGHOUT *ALL* THE LAND, UNTO *ALL* THE INHABITANTS THEREOF."—Lev. xxv. 10.

VOLUME III.] NEW YORK, FEBRUARY, 1858. [NUMBER 7.

The Radical Abolitionist

WILLIAM GOODELL, Editor,

*Is Published Monthly,*

AT 48 BEEKMAN STREET, NEW YORK.

BY THE AMERICAN ABOLITION SOCIETY.

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☞ Some of our friends may think that we devote too much space to the topic of the following communication. But we find it to be the only remaining point, of any strength, upon which opposition to our views of the Constitution is now rested. And experience has taught us the necessity of doing up our work, thoroughly, and finishing it, when we have to do battle against long standing prepossessions and prejudices, which must needs be driven from the field.

For the Radical Abolitionist.

## SOVEREIGNTY OF THE UNION.

Mr. Editor—Confinement by sickness, and subsequent occupation, have prevented my noticing immediately a communication of mine in the Radical Abolitionist for November, (page 28) with your notes appended; and although the time that has elapsed would, under ordinary circumstances, disincline me from any further controversy, yet as your original article on the subject was addressed to a class to which I profess to belong, and as the appeal in your notes is now made more directly to me, I feel it incumbent on me to give you a reply.

I supposed it might be said "that the Federal Government is not a foreign power, in regard to any State," and in your first note, you say, "Assuredly we do say this. Can J. P. B. deny it?". "Assuredly" I do deny it. The Federal Government is not either in its Constitution, or the opinions of the people, an original power; but only a confederation (1) of delegated powers, within the pale of which its authority is indeed paramount; but outside of which it has no more connection with the State governments, or authority over them, than the Government of Great Britain, and is therefore, on all such reserved subjects, strictly a foreign power to the States. But you seem to give up this point, for you admit in your second note that you do "not say" that the Federal Government has acquired a paramount power over the States, authorizing it to suppress any practice in them which cannot be legalized. (2) This, if I understand it, is resigning your whole ground, for if there is *any* illegal practice, which the Federal Government has not power to suppress, then that government is not an original one of plenary sovereign powers; although it might have been made by the people at large. (3.) But you resume your ground again, in your sixth Note, in which you assert that "the doctrine that the Federal Government is not a complete sovereignity," but only an "Agent for a Confederency of Sovereigns," "is a fiction" (4) and you quote several highly respected authorities, in contradiction of this doctrine. I do not know how far they sustain your view, as I have not read their opinions on this question, nor do I care to. I am willing to admit, on your assertion, that these eminent jurists did "all affirm the Government of the United States is a Government of the people," "and not from the Confederacy of Sovereigns," which is the same as saying, in other words, that there are no *United States*; but only a consolidated American Empire; but I dissent from them entirely; and utterly disregard their authority: they probably were misled as you are by the expression at the commencement of the Constitution; "We the people of the United States," "do ordain and establish &c. a mere inoperative declaration, not true in point of fact, (5) as the Constitution was really adopted by the States, as such; and not by the people of the Union on general vote; and as the provisions of the Constitution itself, are not in accordance with that basis. That the Jurists you have named, should take the ground you claim for them does not surprise me. Such persons, generally brought up under the training of British law, lose sight of the principles of the Revolution, and ever strives to strengthen and augment the power of the Government, which they serve, and of which they consider themselves a part; (6) and the judicial history of the United States, wherever the Federal Government is concemed, is little else than a record of perpetual encroachments of that government, on the rights and independence of the States, (7) threatening to absorb them all in a consolidated Empire; a process which you are doing your best to aid. (8) Now in regard to these appalling authorities, I shall only quote one in opposition; which I regard as higher than them all: it is simply the 10th Amendment to the Constitution. "The powers not *delegated to* the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people. (9) No language can more plainly deny the doctrine that the Federal Government is a government of the people of the country at large, and not of the States in Union. (10) Your argument failing as I conceive to establish the doctrine that the Federal Government is one of the people at large, with plenary sovereignity, and consequently authorised to assume ungranted powers, (11) the remaining question between us is, whether there are powers granted to that government by the Constitution, which authorise it to legislate or adjudicate for the abolition of slavery. You attempt the affirmative of this: you have enumerated such supposed powers in notes 2d, 4th and 7th; which I shall consider in course; and it may be proper to remark, as a preliminary, that the prohibitions in Art. 1. Sec. 9th of the Constitution, are not in the nature of powers to the Federal Government; and confer upon it no new power: all the powers granted are comprised in Sec. 8.

You first refer, in your Second Note, to the guaranty given to the States of a republican form of government; (Art. 4 Sec 4) and your citing this as an authority for the abolition of slavery, excites a smile on readers not accustomed to your mode of reasoning. The term "republican," has always been used to denote a form of government, in which the supreme executive ruler derived his authority, not from birth or hereditary right; but from some mode of election by his people; and never had any reference to any private or domestic institutions, however oppressive they might be: (12) some of the ancient and medœival republics were of the most tyrannical character; some of them withholding all political power from vast masses of their people; (13) and many cherishing the institution of slavery. The framers of the Constitution never dreamed of any incompatibility of that institution with republicanism; (14) as is proved by the fact, that they admitted all the Slave-holding States into the Union, without once questioning their claims to have republican forms of government. (15) The guarantee of them therefore to the States, gives no powers to the Federal Government to interfere with slavery. (16)

You next speak of the writ of *habeas corpus*, which is nowhere granted as a power, but referred to as a "privilege," already existing. (17) (Art. 1. Sec. 9, clause 2) It will be admitted, that this reference authorises the Federal judiciary to issue such writs, but this can only be done in cases, of which that judiciary has cognizance; and not in those which belong to the State Courts. (18) This is perfectly well understood: no State judge issues such a writ, in a case under the jurisdiction of the Federal Government; according to the powers granted in Art. 1. Sec. 8., (19) and no Federal judge issues one, in a case under the powers reserved to the States. If, therefore, the judicial power of the Federal Government does not extend to cases between masters and slaves in the States, (see Art. 3. Sec. 2) (20) the abolition of slavery cannot be effected by that power, through the means of the *habeas corpus*.

Prohibitions of condemnations without "due process of law," of "ex post facto laws, bills of attainder, laws impairing the obligations of contracts, granting titles of nobility," &c., have no relation whatever to the subject of slavery; (21) and cannot be tortured into any authority for its abolition by the Federal Government. It should be noticed that the enforcement of these, and other like prohibitions, cannot be done by any acts of Congress, to which no power is given respecting them: the only practical effect of their introduction into the Constitution is, that violations of them may be set aside by the Courts in particular cases, as unconstitutional. (22)

That the Federal Government "is sovereign within the specifications of the Constitution," as stated in your Fifth Note, I have already acknowledged; and repeat my assent; but I think you will not contend that it has any sovereignty without those specifications: its sovereignty is therefore not complete or plenary; and the abolition or regulation of slavery in the States, is not within those specifications.

In remarking on the closing sentence of my communication, in which I say, that the attempt "to legislate respecting slavery in the States" "would be impracticable," "while the belief in the want of authority is so general," you exclaim, "If this be so, then it is impracticable to secure the blessings of liberty for ourselves and our posterity," &c.—thus assuming that the only possible mode of abolishing slavery is the one you advocate; (23) and as this is mere assumption, it does noi require refutation. I hold that there is a far more practicable, more certain, more legitimate, safer and more peaceable, method of abolition, whenever the people of the Free States shall resolutely and unitediy determine upon it; which, as you have not called for, and is out of our question, to avoid further discussion, I do not state. (24)

In making these objections to the ground you take I trust you will not impute to me any apathy on the existence of slavery; or the momentous cause of abolition; (25) or any want of appreciation of the highly meritorious, zealous and self-sacrificing exertions, you and your party are making in it; and while I cannot but lament the delusion which wastes these exertions, by carrying them into a wrong direction, and which seems to me to obstruct, rather than to accelerate, the desired process of entire emancipation; I yet cherish the hope, that your action may be among the instrumentalities, which will serve to awaken a torpid community to the impending perils of slavery, to a consciousness of its atrocious wrong, and a determined effort to extinguish it forever in a wiser mode. (26)

I make no apology for the length of this communi-

cation; I felt obliged to consider every point, and have amplified it as little as possible. The Radical Abolitionist has been monthly filled with arguments for your ground, and seldom, to my recollection—presented those in opposition, and I see not how its pages can be better employed, than in considering those which strike at the root of your plan of action.

J. P. B.

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## NOTES IN REPLY,

BY THE EDITOR.

1. The Articles of "*Confederation* formed, &c. between the *States*," formed in 1778, were found inadequate to the necessities *of the people*, who displaced the "*Confederacy*"—in despite of great opposition, and "ordained and established" a "*Constitution*"—declaring that "We. the PEOPLE of the United States"—(*not* the State Governments), were its authors.

2. We had no occasion to "give up" what we never affirmed, and which formed no part of our doctrine.

3. If the people are Sovereign, and if they "ordain and establish a Constitution" of Government for the very purpose of "securing the blessings of liberty for themselves and their posterity," then that Government is an "original" one, having "plenary powers" *for that purpose*. Otherwise "the people" are not "sovereign."

4. A reference to our note will show that we only said that the doctrine that "the Federal Government is a political agency for a confederacy of *States*, is a fiction." In a *previous* note we had disposed of the matter of "complete sovereignty."

5. And so, the point at issue between J. P. B. and ourselves, compels him to affirm, not only that Kent, Webster, Dallas, John Jay, Story, and the Supreme Court of the United States, knew nothing of the origin and structure of the Federal Constitution, but that the Convention that drafted it, and "the people of the United States" who adopted it—if it ever was adopted—did not know. And we must go to "J. P. B." to learn the facts of the case. Heretofore, *we* have been charged with assuming to be wiser than all those high authorities, because we claimed that the Federal Government has power over slavery in the States. But the tables are now turned, and those who *oppose* us are obliged to deny and contradict those authorities—*not* that those authorities had directly asserted, in so many words, the power of the Federal Government over slavery—but that they have given such an account of the origin and functions of the Federal Government as, if correct, is seen and virtually acknowledged to render the fact of such power over slavery, inevitable. We put down a stake here, indicating progress. Even "J. P. B." cannot meet our arguments without controverting the highest historical and judicial authorities that the country affords. We might rest the case here; but will not rudely dismiss our correspondent.

(6.) Would it not be more correct and rational to suspect that the connection of these men with Slavery and slaveholders had prevented them from carrying out, consistently, their own theory of our Government, by affirming its power to "secure the blessings of liberty"? "British law" was, and is, in opposition to Slavery. And so were "the principles of the Revolution." The Declaration of Independence affirms 'the equal and inalienable rights of all men'—that "for the security of these rights, governments, (*all* governments, whether State or National,) are instituted among men," and it appeals to the Supreme Judge of the world for the rectitude of the intentions of Congress and their constituents, to establish a new national Government, instead of the British Government, for this very end. Does J. P. B. think that it would be losing sight of these "principles of the Revolution" for the "people of the United States" to "ordain and establish" a Constitution of Government, with power to redeem that solemn national pledge? And would Kent, Webster, Dallas, Jay, Story, and the Supreme Court, have proved themselves recreant to "the principles of the Revolution" if they had not only construed the Constitution, as having the powers we claimed for it, but had also advocated the legitimate and undeniably appropriate application of such powers, for such a purpose? Or are *we* to be accounted hostile to "the principles of the Revolution" for such advocacy? Does J. P. B. honor those "principles" when he opposes us for so doing? Would it be dangerous so to "augment [?] the powers of the Government" as to allow it to protect us from chattel-slavery? What would J. P. B. think, if he were himself a slave?

This is, we believe, the first time that we have witnessed a reference to "the principles of the Revolution" as forbidding the Nation and its Government to "establish justice, and secure the blessings of liberty," by the abolition of slavery. It reminds us of the argument of a late Methodist Bishop—that "Slavery is authorized by the Golden Rule."—Even Judge Taney admitted that the Declaration of Independence and the Preamble of the Constitution, had they been written in our day, would have to be understood as applying to all men, without distinction of race or color, which would, of course, liberate the slaves. And it was only by gross falsifications of history that he denied that it was otherwise with our fathers. Will J. P. B. go with Judge Taney to avoid going with us?

(7.) We have here, the acknowledgment of J. P. B. that *his* theory of the Government has never yet been practiced upon, under any National Administration. The plain reason of this is, that it is impossible for any Administration or Federal Judiciary to do so, without disbanding the Federal Government entirely. The experiment under the old "Articles of Confederation" proved this. The "Anti-Federalists" who first opposed the adoption of the Constitution, and afterwards originated the construction of it which J. P. B. is now contending for, denounced Washington and Adams and their Administrations for "encroachment" and "consolidation," but as soon as the Federal Government came into their hands, under Jefferson, they commenced exercising the very same power, and could not help doing it, without resigning their places.

8. There is no need surely of our "aid," to establish those essential and vital prerogatives of the Federal Government, which are clearly contained in the Constitution, which no Administrators of that instrument could ever help wielding, which no national majority, in power, ever failed to claim, and vindicate, which no minority has yet been able to set aside, either by State action or by National politics—(In New-England or in South-Carolina)—prerogatives without which there could be no National Government, at all, and which must in the nature of things, stand and be exercised, until the National Government is disbanded. The head and front of our offending is, that we seek to have these established and continually exercised national powers, exercised in favor of freedom and not in favor of slavery. The one or the other is inevitable. Which will J. P. B. have? By his own showing he cannot expect to have the abrogation of those perpetually exercised and long established national powers. The chimera of absolutely "Sovereign" States has no historical verity in this country, either before the adoption of the Federal Constitution, or afterwards. This was clearly shown by John Quincy Adams in his famous 4th of July oration, at Newburyport.

But suppose it were otherwise. Suppose, for the augument's sake, that the theory of J. P. B. were correct—admitting that the Constitution is *not* a rule of Government, prescribed by the people, but simply an instrument of Confederation for Sovereign States. What then? Would not the States be bound, federally and politically, to conform their laws and institutions to the declared objects of the Confederacy, as stated in the instrument, including its Preamble? And if the Confederacy has any binding force, and any authority to secure its own declared objects, can it not demand and enforce such compliance? Does not the grant of Federal powers plainly and necessarily include this? If not, is not the Confederacy an abortion?

9. But the powers to "secure the blessings of liberty," and to "guaranty to every State in this Union, a republican form of Government" were expressly delegated. So were the powers to "promote the general welfare, and provide for the common defence."

10. "*Or to the people.*" According to J. P. B. this was a surplusage, and should have been omitted.

11. Here, again, is a mixing of things that should be kept distinct. We have no occasion to claim for the Federal Government "ungranted powers," though we do say that a pretended Government without power to secure the personal liberties of its citizens, would be no Government, at all, but only an inevitable instrument of despotism and lawlessness, as our whole national history, shows. For while the legitimate and beneficial action of the National Government has reposed, for its authority, almost exclusively, upon those powers of Government which are repudiated by J. P. B., yet every instance of lawless and despotic aggression by the Federal Government, as the tool of the Slave power, has been committed under pretext of the constitutional limitations of power, advocated by J. P. B., as appears by all the defences of its Kansas Nebraska policy, and the arguments of Judge Taney.

12. Perhaps the definitions of Jefferson and Madison may "excite a smile" in J. P. B. Jefferson says—

"The true foundation of Republican Government is the equal right of *every citizen*, in his *person*, and property, and in their management."

And Mr. Jefferson habitually denominates slaves, "citizens." See Notes on Virginia. Mr. Madison says—

"It is *essential* to a Republican Government that it be derived from the great body of Society, *not* from an inconsiderable, OR a favored class of it." Federalist, No. 39.

Are not "whites" and are not slaveholders "a favored class" in Slave States?

These definitions can only be set aside by the subterfuge resorted to, by Judge Taney. The Federalist has been regarded as high authority by the Supreme Court of the United States. It was written for the very object of so expounding the Constitution as to secure its adoption by the people. And in the connexion above quoted' Mr. Madison abjured the historical mode of defining a Republic which J. P. B. has adopted, and declares that a Republic must be defined by the "first principles" of a Republic, which he declares to be those of the American Revolution. What those were, let the declaration of Independence tell.

13. Mr. Madison, in the connexion above quoted, expressly denies that these were republics. He mentions Holland, Venice, Poland, &c. &c., and denies that these were Republics, because they contained a "mixture of aristocracy." Is not a Slave State an aristocracy of the worst kind? He repudiates the idea that a State can be a Republic, when "governed by a handful of tyrannical nobles, exercising their oppressions," &c.

Such were the expositions of a Republican form of Government, by which the people were persuaded to adopt the Constitution. We leave it for J. P. B. to "smile" at them if he pleases. There are some of "the people" left, who still venerate and love them. One consideration seems to have escaped the attention, not only of J. P. B., but of all who have argued on his side of the question. It is this. The bare fact that the Constitution *requires* the United States, (that is, of its Government,) to "guarantee to every State in this Union a republican form of government," is a fact that not only authorizes, but requires the Federal Government, whenever the demand is made upon it, to define and determine *what is* a Republican Government, thus placing the entire question of slavery in the States, at the disposal of the Federal Government.

When President Jackson recommended to Congress, an enactment for preventing the circulation of "incendiary publications" through the mails, Mr. Calhoun, in his famous Mail Report, shrewdly objected that if Congress could determine what *were* "incendiary publications," it could likewise determine what were *not*, and thus flood "the Sonth with covert but real abolition." On the same principle, Mr. Calhoun would doubtless have expunged this provision of the Constitution, if he could have done so. But it is there, and it fully empowers Congress to define a Republican form of Government—and, if it thinks proper, to define it in accordance with the language of Madison, of Jefferson, the Preamble of the Constitution, and its leading provisions, in opposition to the definition of J. P. B. And this definition and the corresponding "guaranty," duly applied, would abolish slavery.

Who can doubt this? No persons are more ready to deride the claims of the slave States to the character of Republican, than the very men who are most forward to charge the Constitution with being pro-slavery. Garrison, Phillips, and Henry C. Wright, are incessantly charging with hypocrisy the Republican professions of slaveholders. And the "Covenanter" repeats the demand, "Are the slave States Republics?"

Most assuredly they are not. But the Constitution pledges "the United States" to make them Republics.

14. Did they not? Why then did they, on motion of Governor Randolph, strike out the word "servitude," and unanimously insert "service"—for the avowed reason that the former denoted "the condition of slaves, and the latter the obligations of free persons"? [Madison Papers, vol. iii. p. 1569.] And how happened it that so prominent a member as Mr. Madison "thought it wrong to admit in the Constitution, the idea that there

could be property in man"? [3 Madison Papers, 1429.] Were Washington, Jefferson, Jay, Hamilton, Rush, Franklin, &c. unaware of the incompatibility of slavery with republicanism? Has Judge Taney correctly stated the position of those men?

This denial of J. P. B. is almost identical with that of Judge Taney, and can rest on no other basis. The Articles of Association, the Declaration of Independence, and the Preamble of the Constitution, on any other exposition than that of Judge Taney, are sufficient refutations of this denial of J. P. B. And so are the writings and speeches of our Revolutionary fathers.

15. This argument takes for granted what is not true, namely, that "the Union" was formed, and that the thirteen States were self-admitted into it, when the Federal Constitution was adopted. They were all in the Union before. The Colonies became "United Colonies" by the Articles of Association, in 1774. By the Declaration of Independence, these United Colonies became United *States* in 1776. The Articles of Association in 1778, recognized and continued the Union. The Constitution of 1787—9, did the same, only perfecting the Union. There was no such thing as "admitting" the States into the Union, for they were in it already, and had no thoughts of going out of it.

The argument also takes for granted, the very thing it is employed to prove, namely that the Constitution did not forbid slavery in the States, and give the Federal Government authority to suppress it. For if it did, then, in the act of adopting that Constitution, the States consented to give up slavery, and consented that the Federal Government should have "power to make all slaves free." This is precisely what Patrick Henry, a member of the Federal Convention, declared in the Virginia Convention, to be the fact. And yet the Virginia Convention ratified the Constitution.

The logic of J. P. B., if sound, would prove that it was impossible for the Convention, the States, or the people, or all of them combined, to have prohibited slavery, or to give the Federal Government power to prohibit it, if they had desired to do so. For it assumes that the fact of their having been previously slave States, proves their right to be slave States afterwards, whatever provisions the Constitution may have contained! For it insists upon expounding those provisions by the previously existing facts. By this rule, no change could be effected now by a change of Constitution, for the new Constitution would be expounded by the old one!

The argument also ignores and blots out the well known historical fact, mentioned by all friends of freedom and controverted by nobody, [except, perhaps, by Judge Taney and his clique] that when the Constitution was formed, nobody expected slavery to continue. All the States except Massachusetts were then slave States, but none of them expected to remain so. In the light of this fact, the Guaranty of a Republican Government that should forbid slavery, becomes natural, if not inevitable.

16. What then does the "guaranty" in the Constitution mean? Or what is its value? Can it protect us from minor aristocracies and despotisms, if it cannot protect us from the Slave Power?

17. Where would be the "privilege" without the "power"?

18. Here again, we have an assumption of the point to be proved, namely, that slavery can be reached only by the State Courts. This assumption runs through the entire paragraph, and makes a "non sequitur" of the whole.

19. This portion refers only to Congress, but it includes power to "provide for the common defence and general welfare of the United States"—to "regulate commerce with foreign nations, and among the several Sttaes"—"to establish an uniform rule of naturalization"—to "suppress insurrections and repel invasions" and "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and *all powers* vested by this Constitution in the Government of the United States, or in any department or officer thereof." Here are plenary powers "to establish justice and secure the blessings of liberty."

20. "The judicial power shall extend to all cases in law and equity arising under this Constitution," &c.

If slavery be unconstitutional, as it certainly is, if it be incompatible with the establishment of justice and the securing of liberty, then the Judiciary has "plenary power" thus to decide. If the Constitution provides for the "due process of law" and habeas corpus, then the Judiciary has plenary power to make use of them, to carry out the Constitution for the benefit of the slave.

If this provision cannot benefit the slave, then it can benefit nobody, for the Constitution knows no distinction. J. P. B. seems to suppose that "slaves and masters" must be specified, before the slaves can have the benefit of these provisions. He might as well suppose that mechanics and apprentices, or ship masters and sailors, or factory owners and operatives, must be specified, before apprentices, and sailors, and operatives can have the benefit of them! The Constitution knows no slaves nor slave owners. It only knows citizens. Whatever benefit it provides for one man, it provides for another, so far as personal liberty is concerned. So well is this known, that, in respect to the clause concerning "persons held to service and labor," the constructors of Fugitive Slave Bills, [pretended to be founded upon it,] make no mention of slaves or of colored persons in their enactments. In order to keep up any appearance of conformity to the Constitution, they are obliged to construct enactments as fatal to the security of *every* body as they are to the security of the slave. And if J. P. B. can succeed in withdrawing the protection of the Constitution from the slave, he will succeed in withdrawing it from himself, and every body else, white as well as colored. This is the end sought by the slaveholders, [who hold the same theory of the Constitution advocated by J. P. B.]—a 'process which he is' unconsciously 'doing his best to aid.'

It is only by denying or ignoring the essential humanity of the slave—as Judge Taney has done—that the slightest plausibility can be given to those constructions of the Constitution, that deny to the slave, its protection, and benefits. And no one supposes that if the slave were entitled to these benefits, he could be held for a moment, as a slave. It is *negro-phobia*, and nothing else, at bottom, whether perceived or unperceived, that can so construe the "principles of the Revolution"—the Declaration of Independence, or the Constitution of the United States, as to leave the colored man bereft of its benefits. This was well understood by Judge Taney, and he constructed his argument accordingly, relying solely upon the hatred and prejudice against the negro, to sustain him.

21. Have they not? Take away either of these, and what becomes of American Slavery? Have the slaves ever been deprived of liberty "by due process of law?" Is it not an attainder, that attaints the blood of a man, because born of a slave mother? Is not the law ex post facto, that goes back, in its operation, and enslaves a man for something that took place before the date of the enactment, and before the victim of it was born? Is it not impairing the obligations of contracts, to enact or adjudicate that a portion of the people can make no contracts? What is a title of nobility, if it be not that which *entitles* a handful of men by exercising their oppressions, to sway unlimited and irresponsible authority over their fellow men? If these prohibitions oi the Constitution do not prohibit slavery, what do they prohibit? Or what can be their meaning or their value? What reason can be given why they do not apply to negroes, unless it be the reason given by Judge Taney, that the negro is not a man, and has no rights which the white man is bound to respect? Here again, all we ask of J. P. B. is that he shall regard the negro as a man, and read and expound the Constitution in remembrance of his manhood. That process, on his part, would settle every question at issue between us—"State Sovereignty," "Consolidation" and all. It will be in time for *white men* to plead these strange theories of government as reasons why they cannot execute judgment for *negroes*, when they are ready, in deference to them, to yield up *their own* rights. When was any one of them known to give up a claim to $10,000, that might be collected by the Federal Courts, because the Federal Government was a "Foreign power," or because such exercise of Federal power would be "Consolidation" and infringe "State Sovereignty" and "State Rights?"

22. "In particular cases!" In *what* cases? In those in which the rights of no colored persons, or the claims of no Slaveholders are concerned?

"Acts of Congress to which no power is given," &c. Here again, comes the assumption that the Constitution must foresee, and anticipate, and specify, before-hand, all the forms and methods by which the Constitution may be violated, and its ends defeated, and the people despoiled of their natural and Constitutional rights, before Congress or the Federal Government, can do any thing for their protection. Alas! for our liberties, if this be received a sound doctrine! In order to know the extent of the powers of the General Government, we must notice the *objects* of the Constitution and of the Government, as stated in the Preamble. The powers of the General Government must include the securing of all these, or it becomes an abortion.

And this affords light on another fallacy,—if it be another—that runs through the argument of J. P. B. and his associates. It is that of supposing or maintaining that the great provisions of the Constitution in favor of personal freedom, convey no powers, and impose no obligations on the Federal Goverement to apply those provisions for their obvious ends. J. P. B. lays down, as "preliminary" to his consideration of those provisions and prohibitions, that "they are not of the nature of powers to the Federal Government, and confer no new powers: all the powers granted are comprised in Sec. 8. (which we have already considered.)

Indeed! Why then, were they put into the Constitution at all? If they empowered nobody, then they obligated nobody and protected nobody, for where there is a political obligation, there must needs be a power to enforce it.--Were they inserted only as "glittering generalities," idle "abstractions," to amuse and cajole the people with deceptive assurances and appearances of protection?

Or does "the Constitution of the United States" contain a show of provisions for the security of personal liberty, which the "Sovereign States" alone are authorized to apply and enforce? Is this the doctrine by which the Sovereignty of the States is to be vindicated? Are their sovereignty and "plenary powers" thus derived from the Federal Constitution, which is no Constitution of Government at all, but only a Confederation of States? There seems to be no end to the confusion and absurdity into which men are plunged, who are determined to deny the National power of protecting Liberty.

23. We only say that there is no possible way of abolishing Slavery *without* abolishing it, and without the power of abolishing it—that the nation, as such, cannot do it, if the National Government cannot do it—that the National Government cannot do it, by the Constitution, unless the Constitution favors it. We say, further, that Slavery is a national sin, for which the Nation and its Government are responsible—that God commands the Nation and its Government to repent of this sin, and put it away, by its total abolition—and that his command must be obeyed, or the Nation punished.

24. Our correspondent is too modest. Let us have his plan. We are curious to know how, or by what right, 'the people of the Free States" can abolish slavery, in the Slave States, except by controlling the Federal Action to that end. Can State action, in the Free States, abolish slavery in the Slave States, where it is protected by "State Rights?" If the Nation cannot do it, how can the Free States alone, do it? The abolition of slavery [as hitherto understood and witnessed] is its prohibition and suppression *by law*. Thus it was in our free States, in England, and the British West Indies. Is it this that J. P. B. proposes? Or is it only some free cotton, sugar-beet, expatriation limitation, emigration, separation, or starvation project for getting rid of it a century or two hence, *without* abolishing it?

25. We should be unwilling to do this, but must confess that we are astonished at the pertinacity with which some friends of freedom oppose a National Abolition of Slavery under the plea of "State Rights," "State Sovereignty," and dread of "Consolidation." By their own showing, Slavery is a national sin, but they object to its national abolition, the only national repentance that can be available. They call it a national disgrace, a national curse, the precursor of national destruction, yet cry out against its national prohibition and suppression! A large portion of them came from the Whig and National Republican parties, with whom the Nullification theories of Calhoun were the climax of abomination. Most of them are now Republicans, who think they are at the farthest remove from the Calhoun theory. And all of them condemn the doctrine of Judge Taney. Yet, with one voice, they advocate the "State Rights," and "State Sovereignty" doctrine, that twenty-five years ago was confined to the partizans of Calhoun, a doctrine that had its origin in the fear of Federal action against Slavery, which has seldom been urged except for the purpose of strengthening Slavery against freedom, and never was successfully urged but for that purpose! And whenever they under-

take to argue, they are seen to precipitate themselves, bodily, into the very muddiest of the mire of Judge Taney! What does it mean? What is it that bewilders them? When will they awake from their "delusions?"

26. Is it "delusion" to call on the Nation and its Rulers to "break every yoke?" to "let the oppressed go free"? to "execute judgment between a man and his neighbor"? to "deliver him that is spoiled out of the hands of the oppressor"? to "proclaim liberty throughout *all the land*, to all the inhabitants thereof"? Is this going "in a wrong direction"? Does it "tend to obstruct emancipation"? Can the wisdom of this world [which is foolishness with God] invent a "wiser mode" than that which He himself has prescribed? What is it that hinders the speedy overthrow of slavery but the unwillingness of anti-slavery men to push forward the demand for its National Abolition?


# Radical Abolitionist.

NEW YORK, FEBRUARY, 1858.


### THE PASSING TIMES, AND THE CRISIS.

Since the publication of our last number, the President has sent a special Message to Congress on the affairs of Kansas, urging its admission into the Union, under the Lecompton Constitution, which, he well knows, the people of Kansas repudiate. In another Editorial, (crowded out last month, but inserted in this number,) on "THE PRESIDENT'S ANNUAL MESSAGE," we have shown that the President then presented the issue of "No more free states" or rather, of "No free States at all." Corroborative proof of this will be found in another article, this month, containing extracts from the President's organ, the Washington Union, in which the Constitutional power of *any* of the States to exclude or prohibit slavery is explicitly denied. This we have denominated "THE TRUE ISSUE," that is, on the part of the oligarchy. We ask our readers to examine those two articles, in the first place, and then take up our article on "THE PRESIDENT'S LECOMPTON MESSAGE," and, putting the three together, determine whether we are not correct in denominating it a "PROCLAMATION OF FEDERAL ENSLAVEMENT OF KANSAS,"—and, still further, whether it does not endorse the position of the Washington Union, that all the States, being all of them under the Federal Constitution, are, in virtue of its authority, slave states.

This, then, is our present position, on the chronological chart of national events. We are precisely at that point at which the Slave Power, by the President's two recent Messages, and by the utterance of his organ, *the Union* have distinctly enunciated the determination to establish slavery, by the National Arms, in all the states. THAT, and nothing short of it, is our condition, as a nation, our predicament, as friends of freemen, (those of us who are such,) to day. The daily Telegraphic News, from Washington City, and from Kansas, in order to be intelligible, and to be intelligently understood, must be read and understood in the light of these undeniable and outstanding facts of our passing history, our matter-of-fact present position.

A vote for the Lecompton Constitution, in accordance with the President's recommendation, is a vote for all this—is a vote to establish slavery, by the National arm, not only in Kansas, but in all the free States. This is the intention of the slavocracy—the intention of Chief Justice Taney; assented to by President Buchanan. And this is the natural result, the necessary one, if not averted by prompt and adequate resistance, in some form.

From this stand-point, then, we look at passing events. The records of Congress are crowded with stirring debates. Eloquent speeches are made, pro and con. On the one side, we hear threats of a dissolution of the Union, unless the Lecompton Constitution is forced upon the State of Kansas, that is, unless Congress, will ratify the doctrine that the constitution of the United States carries slavery into the States! How is this met by the opponents of the Lecompton swindle? Is there a single man among them who meets the iniquitous demand of Constitutional Slavery in all the States, under Federal authority, with the righteous demand of Constitutional Abolition in all the States under the same authority? Can any thing short of this meet the issue presented by the President and his supporters? Certainly not. But what Senator or Representative stands up, square and fair, to the issue? Does Fessenden, Hale, or Seward? Does Giddings, Granger, or any other Representative? Granger and several others, understand the constitution precisely as we do. Granger has avowed this view, and has ably vindicated it, long since, in the House. But has he—or has any other member of Congress, applied the doctrine to the case now in hand?—Not one of them, so far as we are informed. In other words, not one of them has ventured to take up the glove thrown at them by the champions of slavery and slavery extension. So far from this, some of them are apparently receding, even from their own platform of 1856, resigning the leadership to Senator Douglass, and falling back upon the "squatter sovereignty" basis which they had unsuccessfully contested with him. One Representative, Hon. DeWitt C. Leach, of Michigan, (vide National Era, Feb. 18) as against the renewed claim of Montez and Ruez, for pay for the Amistad captives, has indeed, in an able and admirable speech, denied and disproved that the Constitution recognizes property in man. But, in the same speech, he upsets it all, so far as the great pending struggle is concerned, by protesting that "with slavery, in the states where it exists, we do not propose to interfere." Thus the suicidal disclaimers of the last previous session of Congress are again renewed. By adroitly securing these disclaimers, a year ago, the slavocrats tied up the hands and tongues of their Northern opponents, before hand, and spiked their only effective guns. Having conceded the constitutionality of slavery in *some* of the states, how can they disprove its constitutionality in Kansas and in all the *other* states? They cannot. They dare not attempt it. And so, in the hour of their Country's deepest peril, and so far as the main question involved in the present phase of the Kansas controversy is concerned, they are mum—they have nothing to say, and are careful to say it. Senator Seward, who, as we have good ground to believe, understands the Constitution as well as we do, and not essentially otherwise, and has done, since 1844, has done even worse than this. At the very moment when the design to force slavery upon Kansas, and, ultimately, upon all the free states, by force of arms, was thus openly avowed, by the President, by the Union, and by Jeff. Davis, Mr. Seward astonishes his Republican and Anti-Slavery and Abolition friends and supporters by announcing his independence of the Republican party, and by declaring himself in favor of the President's demand for an increase of the army, for purposes which everybody understands—which nobody disputes. And he does this, as he tells us, in his reply to Senator Hale, because, forsooth, the struggle with the Slave Power is now over, and Kansas is safe! The N. Y. Evening Post censures but half excuses Mr. Seward, for this act, which it calls "an enigma, which has yet received no satisfactory public solution." The Post attempts to find it in Mr. Seward's habit of favoring almost "every measure contemplating the expenditure of money," his doing this, to save himself, as a statesman, from the "customary proscription," by which, "the pro-slavery party in Congress," contrives to "destroy every northern man, who faithfully represents the northern view of the slavery question."

And these are the champions for freedom, in such a crisis!—No marvel that the proposed investigation of the Kansas swindle passes the House only by a close vote. No wonder that Mr. Speaker Orr is emboldened to violate all parliamentary usage, and to insult the House and the Country by packing a committee, a majority of whom are opposed to the investigation for which the committee was ordered. No wonder that the committee thus constituted, refuses to receive testimony. No wonder that direct or indirect bribery is relied upon to carry the Lecompton Constitution or any other measure dictated by the Slave Power. The position, the platform, and the moral composition of the opposition in Congress, render all this as inevitable as the ascending of smoke into the air, or the running of water down hill.

Mr. Seward attempts an offset by proposing such a re-organization of the Federal Judiciary as shall secure an equal proportion of Judges from the free States. The N. Y. Tribune shows the uselessness of this, from the fact that the Executive can and does find the judges supple enough for his worst measures, from any or each of the free States.

The split in the Democratic party seems to have been consummated, and to be irreparable. Some comfort in that. But the amount of numerical force to be ultimately detached from the fire-eating Democracy, remains to be determined. If few, little may be gained by it. If many, the stronger will be the temptation to the Republicans to come down, fully, to the Douglas platform, and instal him the leader of the new party, (for there will have to be a new one, with a new platform,) for the Presidential election of 1860.

If Kansas is forced into the Union, under the Lecompton Constitution, what next? Will the people of Kansas submit? If not, we have a civil war. If they do, what will Kansas or any of the free States do next? How will they throw off the yoke of bondage? How, but by getting the Federal Government into their own hands, and *with* it, putting down slavery in the States? But will they do that? Or will they prefer to secede from the Union? Or will they yield all to the Slave power? One of the three they must needs do, or one of the three will be forced upon them. The humbug of "non-extension" in company with the tolerance of

slavery, will have been played out, and numbered among things that have been.

While we are writing, startling news reaches us, through the N. Y. Evening Post, Feb. 18, that Senator Wilson of Massachusetts, another leader of the opposition, half imitates Senator Seward, by offering an amendment to the army bill, "which is likely to meet with favor!" He proposes to raise five thousand troops (for enforcing slavery in Kansas, and mayhap in Massachusetts!) providing the men be volunteers, choosing their own officers of companies, the President to "appoint the staff and field officers from the States and Territories from which the volunteers come"! What could the President, or his border-ruffian masters, desire or ask better?

And these are the champions to whom the Northern Abolitionists and Free Soilers have committed the defences of freedom! Shall they not "be ashamed of the oaks that they have desired, and confounded for the gardens which they have chosen"? Is not the bottom line of their idealized "availability" reached, here? "Egypt is a spear, upon which, if a man leans, it shall pierce his hand."

If Kansas, and all the free States, are not suffocated, throttled, and manacled by iniquitous and fatal compromises and concessions, it will not be because most of her defenders in Congress have not been eager enough to propose and to make them.

"The worst thing," says the N. Y. Tribune, "that has befallen Mr. Seward in consequence of his late disclaimer of allegiance to the Republican party, is the praise of the Albany Atlas. (Pro-slavery.) This injury was inflicted on him yesterday." Even the N. Y. Tribune itself has been understood to be 'preparing the people of the North to accept Kansas as a slave State, if it shall be admitted as such.' (Vide Liberator, Feb. 5.) Having been absent from our post, we have not sufficiently read the Tribune to vouch for the correctness of the impression. But how could the Tribune do otherwise, without departing from its own favorite maxim, the pledge of its late Presidential candidate, of Mr. De Witt C. Leach, of Michigan, and the party generally, to let slavery alone, in the States where it exists? When once admitted, under the Lecompton Constitution, all except Radical Abolitionists are estopped, by their own reiterated disclaimers and protestations, from saying anything more against it. This, the Lecompton swindlers, including the Chief-Justice and the President, well understand. And here is the secret of their seemingly reckless desperation—the spinal marrow of their strength.

## THE PRESIDENT'S ANNUAL MESSAGE.

### NO MORE FREE STATES!

The motto of the Free Soil party, in its day, was—'No more Slave States.' It was thought sufficient to act on the defensive, and to waive the question of slavery in the old slave States. Failing to gain *that* 'half loaf,' the Free Soil party was given up, and the Republican party was organized, on the narrower basis of 'freedom for Kansas, and on the ground, mainly, of the Missouri restriction, and the line of 36 deg. 30 min. That issue, too, has been fought and lost, so far as opposition to the Kansas Nebraska Bill is concerned. All that is now asked is, that freedom in Kansas shall have the benefit of the Squatter Sovereignty doctrine of Senator Douglas, as expounded by him in 1854 and at present, a doctrine repudiated by Republicans in 1856. In the mean time, the motto of 'No more Slave States' is in danger of being reversed. The claim of the Slave Power, through its organ, President Buchanan, evidently is—'No more FREE States,' and even 'No free States at all! This defensive issue is upon us now. The natural fruits of the compromising half-loaf policy are in our hands.—If the original issue of 'Abolition at the South' had been kept still before the nation, the Slave Power, and not Freedom, would have been kept still on the defensive. See where we are, now! In his reply to the New Haven Memorialists, President Buchanan says—

"Slavery exists in Kansas, under the Constitution of the United States."

In his late Annual Message, he says—

"Should the Constitution without Slavery be adopted by the votes of the majority, the rights of property in slaves now in the Territory are reserved. The number of these is very small; but if it were greater, the provision would be equally just and reasonable. These slaves were brought into the Territory under the Constitution of the United States, and are now the property of their masters. This point has at length been finally decided by the highest judicial tribunal of the country—and this upon the plain principle, that when a confederacy of sovereign States acquire a new Territory at their joint expense, both equality and justice demand that the citizens of one and all of them shall have the right to take into it whatever is recognized as property by the common Constitution. To have summarily confiscated the property in slaves already in the Territory, would have been an act of gross injustice, and contrary to the practice of the older States of the Union which have abolished slavery."*

The meaning of this cannot be mistaken. Kansas, as a State, can have no right to abolish slavery, as was done in New York, Pennsylvania, and the other free States; a gentle hint, by the bye, that those States had no right to 'confiscate property in slaves.' In respect to new States, the declaration is direct, without leaving us the necessity of drawing an inference. The Constitution, of itself, carries slavery into a new Territory, before it can become a State. And being thus established in the Territory, it cannot be abolished by the State.—That is to say, the right of property in the slaves already introduced 'under the Constitution,' would have to be held sacred. All the State could do would be to shut out further importations from other States, as has been done in Mississippi. And the President is careful to say, that 'if the number' of slaves 'were greater, the provision would be just and reasonable.' This fixes and defines the policy of the Federal Government under Presidents Pierce and Buchanan. The pretence, held up, of leaving the people of the new Territory, or State, to determine their own institutions in respect to slavery, is here formally abandoned. Nothing short of this could justify the undeniable fact of Federal intervention to prevent the exclusion of slavery from Kansas. The President gives us the reasons for that intervention, which is nothing less than the support of the Constitution, as understood by himself, and as 'decided by the highest judicial tribunal of the country'! After this, shall we have any more repetitions of the hypocritical pretence of Federal 'non-intervention' with the slavery question in the Territories and in the States? The duty of Federal intervention in behalf of slavery and against abolition and freedom, is here distinctly and openly affirmed.—And the duty is placed on the high ground of an absolute Constitutional requirement.

Such is the demand of the Slave Power. How is it to be met? By attempting to raise, again, the once abandoned flag of 'No more slave States'? Or the dishonored flag of 'Freedom for Kansas,' under the violated Missouri Compromise? Or freedom for Territories and States, a majority of whom shall condescend to confer freedom on the minority? Is the nation to be saved by further displays of gymnastic skill in attempting to catch such slippery fishes and 'half-loaves' as these? Nay, verily! There is but one flag under which freemen can rally with any hope of success. It is the flag on which is inscribed—'Immediate and unconditional abolition, in all the States and Territories, under the Constitution of the United States.'

The President's Message shows us, by the bye, what would have become of freedom in Kansas, if—as he anticipated and intended—a majority of its citizens had voted for the Lecompton 'Constitution without slavery'! By his own showing, they would have fastened slavery upon the State forever, 'under the Constitution of the United States,' as construed by himself, and 'the highest judicial tribunal in the country.' Can Executive knavery and effrontery go farther than this?

The same paragraph of the President's Message shows us, also, with equal clearness, what will be the fate of 'our free institutions,' unless the despotic rule of the two hundred thousand oligarchs is summarily overthrown by knocking out from under them the throne of their supremacy, the diabolical claim of holding property in man. This issue is clearly presented to us, by the President himself, as well as by his organ, the Washington Union, in an article noticed in this paper elsewhere.

* How is this? The Courts in Massachusetts, and the Legislatures of New York, Pennsylvania, &c., abolished Slavery, without compensation to their masters.

## THE TRUE ISSUE PRESENTED, AT LAST.

The recognized 'organ' of our present Federal Administration very frankly and courageously presents to the American people the true issue between the power that controls the Administration and the friends of freedom. It goes the full length of declaring, explicitly, that the Constitution carries slavery into all the *States*, and that no State has a right to exclude it. The President himself, in his reply to the New Haven Memorialists, affirmed that the Constitution carried slavery into Kansas. Judge Taney had previously affirmed the same in respect to all the Territories, and had, by plain implication, included also the States. *Now*, at length, the doctrine, in its widest application, is fully avowed by the Washington Union, as it had previously been done by members of Congress. As to the closing intimation that 'no citizen of another State' would avail himself of this Constitutional protection, by introducing slaves, against 'the prevailing sentiment of the people of a State,' it is all gammon, designed to allay excitement, just like the assumption, a few years ago, that *climate* would prevent the introduction of slaves into Kansas and Nebraska! Wonderfully delicate, to be sure, are the Ruffians, lest they should be 'at variance with their neighbors'! Look at Kansas. And look at the systematic efforts of two successive Administrations to force slavery upon Kansas, by fraud and violence. There is but one way to prevent the same drama from being enacted over again in every free State in the Union—and that is by a *Federal Abolition of Slavery* in all the States. Nothing else will meet the issue here presented to us. Read and see, for yourselves.

From the Washington Union of Nov. 19.

"The primary object of all government, in its original institution, is the protection of person and property. It is for this alone that men surrender a portion of their natural rights.

"In order that this object may be fully accomplished, it is necessary that this protection should be equally extended to all classes of free citizens without exception. This, at least, is a fundamental principle of the Constitution of the United States, which is the original compact on which all our institutions are based.

"Slaves were recognized as property in the British colonies of North America by the government of Great Britain, by the colonial laws, and by the Constitution of the United States. Under these sanctions vested rights have accrued to the amount of some sixteen hundred millions of dollars. It is, therefore, the duty of Congress and the State Legislatures to protect that property.

"The Constitution declares that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." Every citizen of one State coming into another State has, therefore, a right to the protection of his person, and that property which is recognized as such by the Constitution of the United States, any law of a State to the contrary notwithstanding. So far from any State having a right to deprive him of his own property, it is its bounden duty to protect him in its possession.

"If these views are correct—and we believe it would be difficult to invalidate them—*it follows that all the State laws, whether organic or otherwise, which prohibit a citizen of one State from settling in another, and bringing his slave property with him and most especially declaring it forfeited, are direct violations of the original intention of the government, which, as before stated, is the protection of person and property, and of the Constitution of the United States, which recognises property in slaves, and declares that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States," among the most essential of which is the protection of person and property.*

"*What is recognised as property by the Constitution of the United States, by a provision which applies equally to all the States, has an inalienable right to be protected in all the States.* If its introduction is obnoxious or offensive to the prevailing sentiment of the people of a State, there is no reason to presume that a citizen of any other State will intrude it in opposition to that sentiment and thus subject himself to all the mortifications and ill offices which inevitably fall to the lot of those who are at variance with their neigh-

bors. There is, then, no necessity for laws prohibiting their introduction, and the prohibition is a gratuitous insult. The public sentiment is a sufficient guarantee. If the field were ever so open, there is not the least likelihood that the southern planter would go and settle with his slaves in the northern section of the United States, where they would be more than worthless as property, their possession a source of eternal vexation, and their support an intolerable burden. There never has been, to our knowledge, and probably hever will be, an instance of this kind."

Why then the gratuitous insult of broaching the nefarious doctrine? If the doctrine is 'correct' and if 'the primary object of all government' includes 'the protection of property,' does the Union expect us to believe that that 'primary object' is to be relinquished, in favor of abolitionists?

It is instructive to notice that the argument of the Union proceeds, very logically, oh premises which none but Radical Abolitionists ever adventure to controvert. It assumes that 'the protection of person and property,' 'the object of all government,' does not include the protection of slaves. It assumes that a portion of our inhabitants are not 'free citizens.' It assumes that the Constitution tolerates and sanctions slavery, and that this is 'the original compact on which all our institutions are based.' It assumes the 'vested rights' of the slaveholders. Conceding these unfounded and truthless assumptions, [as nearly all our statesmen do,] by what logic shall the conclusion of the 'Union' be overthrown or evaded? What 'Democrat'—what 'Republican' can do it without going off from his party 'platform.'

And let it not be forgotten that the slavery thus claimed to be sheltered by the Constitution, in all the States, is not negro slavery or colored slavery alone. It knows no distinction of race or color.—Thus testifies the Richmond Enquirer. 'The laws of the Southern States, justify the holding of *white* men in slavery.'—Thus testify John C. Calhoun, Geo. McDuffie, Prof. Dew, Benjamin Watkins Leigh, and the Southern Democratic papers, generally. The 'issue' therefore, comes home to all of us, and must be met promptly and vigorously.

## THE PRESIDENT'S LECOMPTON MESSAGE — A PROCLAMATION OF FEDERAL ENSLAVEMENT OF KANSAS!

Events are clustering thickly upon us of late. The President, in his Message on Kansas and the Lecompton Constitution, says:

"It has been solemnly adjudged by the highest judicial tribunal that slavery exists in Kansas, by virtue of the Constitution of the United States. *Kansas is therefore, at this very moment, as much a* SLAVE STATE *as Georgia or South Carolina.* Slavery, therefore, can never be prohibited in Kansas, except through the means of a Constitutional provision, and in no other manner can this be done as promptly, if the majority of the people desire it, as by admitting her into the Union under the present Constitution."

Let it be noticed, here, that the President calls Kansas, *not* a Territory, but a STATE. The Constitution of the United States, then, he declares, has carried slavery into a *State!* If it can carry slavery into one state, why not into another? Why not into the State of New York, as the State of Virginia is contending against New York, before the Courts, in the Lemmon Case. And, on his principle, how can the President pretend, that by admitting the *State* of Kansas into the Union, under a pro-slavery Constitution, forced upon the 'State' against its solemn protest, the 'State' will then have power to change its Constitution and prohibit slavery? If slavery is now in the 'State' 'by virtue of the Constitution of the United States, how without a violation of the Constitution is 'the State' to get rid of it?

Especially, how is this to be done, when, as Jeff. Davis has triumphantly announced, an army is still to be kept up, by the President, for enforcing the President's version of the Federal Constitution upon 'the State of Kansas?' (See N. Y. Tribune of February 17).

Here, again, as in the Washington Union, and in the President's New Haven Letter, and in his Annual Message, the issue, distinctly enough presented, is—Slavery protected in ALL the States—'by virtue of the Constiitution of the United States'—or, Slavery uprooted in all the States, 'by virtue of' that same Constitution. Which will we have? There is no middle ground, and no dodging. 'Centralization'—so called, is upon us, whether we will or no. If the Oligarchy find it wielded for their overthrow, let them blame their own temerity, in invoking and installing it. If freemen find themselves crushed under it, let them blame their own folly and stupidity, in neglecting to wrest it from the enemy, and wield it themselves. National power over slavery in the States, exists, and is and will be exercised, de facto; and the party that seizes and wields it, is victor.

God commands, always has commanded, and always will command, all Nations, and all National Governments, to protect all their inhabitants, and the Nation or National Government that refuses or neglects to obey, will be overthrown. Thus, and not otherwise, it ever has been and ever will be, while God reigns.

## THE LECOMPTON CONSTITUTION.

The Lecompton Constitution, attempted to be forced upon the people of Kansas, contains the following:

"The right of property is before and higher than any constitutional sanction, and the right of any owner of a SLAVE to such slave and its increase is the same, and as inviolable as the right of any owner of ANY property whatsoever."

This is an explicit denial of the right of ANY Government to "confiscate" slave property, as President Buchanan expresses it. Taken in connection with Judge Taney's opinion in the Dred Scott case, the President's annual and Lecompton messages, the suit of Virginia versus New York, the editorials of Mr. Buchanan's organ, the Washington Union, and the proposal to revive the African slave trade, it furnishes demonstrative evidence of the design to force slavery, by Federal authority, upon all the free States.

A vote in Congress for the Lecompton Constitution is a vote for the establishment of the principle and the precedent for all this.

## ABOLITION IN VERMONT.

### THE CONVENTION AT BRADFORD — EDITOR'S TOUR AMONG THE GREEN MOUNTAINS.

In our last number we briefly noticed the call for a Convention, to be held at Bradford, Vt., the 26th and 27th of January, signed by Gov. R. Fletcher and others, "to occupy a higher moral platform than that of the political parties"—"to consult, discuss, and determine, with reference to the evils of slavery, and to adopt such measures, and take such action as the state of the times may demand." The call is said to have been signed by several hundreds of names, of which the following were published in the National Anti-Slavery Standard, viz., Governor Ryland Fletcher, Moses Kidder, B. W. Dyer, N. R. Johnston, F. S. Bliss, Asa Low, William Morrison, E. Hebard, N. Hazeltine, Leonard Johnson, J. C. Winship, Henry Miles, Parker McNiece, L. Prindle, John Gillies, J. M. Coburn, Willard B. Porter, Samuel Strong, Guy C. Sampson, Daniel Keenan, Josiah Divoll, James S. George, and James Stratton. As the names included abolitionists of different views, and as the Standard said "the Convention was not to be a partizan one in any sense," but hoped the views of the American Anti-Slavery Society would be presented, we thought it proper for us to attend, (though not specially invited,) that the views of the American Abolition Society might be presented likewise.

On our way up the valley of the Connecticut River, at Bellows Falls, our old friend William Wells Brown, came on board the cars, and by him we were soon introduced to Gov. Fletcher, who was also on board, on his way to the convention. The weather was rainy, and the thin coat of snow was rapidly disappearing—a circumstance which, it is thought, prevented many hundreds, who depended on the sleighing, from attending.

Arriving at Bradford at 4 P. M. on the 26th, we found ourselves with C. L. Remond, and Parker Pillsbury, at the Station House; and whence some citizens of the village, with a large vehicle, took us up to the place of meeting, where we found a goodly number awaiting the arrival of those in our train. The Convention was temporarily organized and committees appointed, when it was announced that the evening would be occupied by Messrs. Brown and Remond. Being fatigued, and having got drenched by a sudden and violent shower on leaving the meeting, we did not return that evening, but were told that the speakers dealt effective blows upon the "peculiar institution," and were heard with decided interest and favor, by a full house.

The next morning (Wednesday) a permanent organization was made; President, A. C. Burke of Berlin, Vice Presidents, Gov. Fletcher, Asa Low, Esq.—Secretaries, Guy C. Sampson, L. J. McIndoe, H. W. McIntire. Letters were read from J. Clafflin, Ex-Gov. Wm. Slade, William Lloyd Garrison, and Rev. F. S. Bliss. The Business Committee reported a number of resolutions, of strong anti-slavery character, which seemed to meet with general favor, with the exception of a Preamble and Resolution declaring the Constitution to be pro-slavery, and recommending a dissolution of the Union, and the establishment of a Northern Republic. One, at least, of the Committee disapproved of reporting this, and several prominent members of the Committee, including Gov. Fletcher, expressed surprise at its introduction, not having anticipated any thing of the kind. Some complaints were made, of being taken at unawares. Rev. N. R. Johnston, a Covenanter, or Reformed Presbyterian minister, and, of course, opposed to the Constitution, had been active in getting up the Convention. In addition to the speakers above mentioned, who are Garrisonians, it was understood that the Rev. J. R. W. Sloan of New York, another Covenanter minister, had also been invited, and was expected in the next train. It was suggested by some one that this arrangement looked a little "one-sided." But Rev. N. R. Johnston explained that only three opponents of the Constitution were specially invited to attend and address the Convention, and that three Republicans, viz. Gov. Fletcher, Ex-Gov. Slade, and Prof. Cushing of Newbury Seminary, had also been invited, only one of whom was present.—We presume it did not occur to any one that the advocates of a National Abolition of Slavery should be represented there, likewise, and only one, so far as we know, (our humble self,) attended with any design or expectation of speaking, on that side, though some, of those views, were in the Convention. Our presence and participation in the discussion gave the debate, (as Mr. Pillsbury remarks, in the Liberator) 'rather a triangular' shape—but, though unexpected by both the other parties, we were very courteously and kindly received. Nothing of personality or harshness did we encounter, from any quarter, and by none, except by our Garrisonian friends, were our most "radical" positions publicly called in question. Governor

Fletcher opposed, as we did, the measure of dissolving the Union, and defended the Revolutionary Fathers from the implied charges of hypocrisy and pro-slaveryism. But in vindicating the constitutional power and duty of the National Government to abolish slavery in the States, we found the work pretty much on our own hands. We had, in anticipation of the introduction of some such resolutions as those reported by the Committee, prepared some, ourself, to offer as substitutes, affirming our own views. These, in due time, we presented, and vindicated, both in the afternoon and evening, when Rev. Mr. Sloan, having arrived, gave us an eloquent address, in which we all could unite, except in his brief allusion to the Constitution, as being pro-slavery, and his consequent advocacy of dissolution. He triumphantly vindicated the Bible from the charge of being pro-slavery, declaring that, like the man who went down from Jerusalem to Jericho, it had fallen among thieves. As we followed him we took occasion to remark that it had fared with the Constitution as with the Bible. It had fallen among the very *same* thieves. And the Constitution, as well as the Bible, is wronged and perverted, when expounded in accordance with the claims and wishes of thieves. It was our duty to rescue them both from such hands, and wield them for the declared objects they were designed to support.

The arguments against the Constitution, as usual, were founded, not on what the Constitution *says*, but on what somebody says was *intended* by it, and upon the pro-slavery expositions and administrations of it, hitherto. Mr. Pillsbury managed this course of argument with as much force, perhaps, as could be done by any one. Mr. Remond and Mr. Brown dwelt eloquently and effectively upon the wrongs inflicted by the people and rulers of the nation upon the colored race, the nominally free and the enslaved. The consciences and sympathies of the Convention were fully with them, in this matter, as was meet. Gov. Fletcher expressed, feelingly and unreservedly, the most thorough anti-slavery sentiments on this subject, but desired to know whether a dissolution of the Union would cure this prejudice, or increase the power of the disposition of Northern white citizens to redress the wrongs of their colored fellow-citizens, after having been relieved from all political responsibility in respect to those of them residing in the South? We do not remember having heard any distinct answer to that question; but Messrss. Remond and Brown seemed to transfer to the Constitution and the Union all the indignation they indulged on account of the crushing injuries received by themselves and their race. What proportion of the Convention resigned themselves to that unphilosophical conclusion we are unable to say, though there was a general disposition on all hands, certainly in ourselves, to excuse any want of logic, in the case of persons so deeply injured, and so highly gifted with the power of giving eloquent expression to their feelings.

The attendance and interest of the villagers were decidedly good from the beginning, and the early intimation of a pending debate on the Constitution and the Union, secured a crowded house in the afternoon, and a close jamb in the evening. Many went away for want of room even to stand. The building was a commodious Town House, capable, perhaps, of holding one thousand persons. It was half-past eleven P.M. when the debate closed. A suggestion had been made by Gov. Fletcher in the morning, before the debate commenced, that after a full discussion the two conflicting sets of resolutions be tabled, without a vote. At the close of the debate, Mr. Pillsbury made a motion to that effect, which was acceded to, *nem con.* The remaining resolutions, as strongly anti-slavery as any sort of abolitionists could desire, were then enthusiastically adopted without a dissenting voice, and the meeting separated with the utmost harmony and good feeling—an example worthy of imitation on all similar occasions. We cheerfully testify that none of our many kind friends, who came round us at the close, treated us with more cordiality than those with whom we had held earnest debate, and to whom we had been an unexpected opponent. Each of the parties represented seemed satisfied with having had a full and free utterance, willing that all who listened should ponder and decide at their leisure. The several sessions were opened with prayer, and the exercises were occasionally enlivened with excellent singing of appropriate pieces, by a well disciplined village choir. A good proportion of ladies were in attendance, who did not seem to think the claims of the oppressed, and a discussion of the institutions and prospects of their country too dull and dry for their attention, even to a late hour.

Mr. Pillsbury, in the Liberator, conjectures that a vote, if taken, would have been two to one in favor of his views. It would be easy for us to conjecture (as some have done) quite the opposite. But it is needless. The fact, if ascertained, would prove nothing. Truth would remain the same. To most who listened, the discussion was new. They will be incited to examine the subject further. This is all we desire. At the close, late as it was, we disposed of all the "National Charters" we then had on hand, and ought to have had as many more.

Several things in this Convention we deem quite note-worthy. Not a word of pro-slaveryism, of doughface-ism, or of palliation, or compromise, was heard during the whole, except from an individual or two, when Mr. Pillsbury was exposing pro-slaveryism in the Church. And then it was but a word of anger from an outsider—not from a member of the Convention, or from an abolitionist of any sort. An earnest anti-slavery sentiment evidently pervaded the meeting. Though the mass of the meeting, with few exceptions, were either Republicans or Garrisonians, and a debate, if any, would naturally have been expected to be carried on between them, yet the greater part of the time of discussion was, we think, between Garrisonianism and abolitionism of our sort, and the chief interest was in reference to the issues between them. Gov. Fletcher, though nominally in the Republican party, was and *is*, in sentiment and spirit, a Liberty-party man of the old school. What he said was, for the most part, in accordance with our own views, so far as he went, though he did not go as far as we did, and, in common with most of those present, had not before heard the constitutional question so fully debated. A defense of the position of the Republican party, as commonly expounded by its leaders, was not formally made in the Convention. Neither was that party, except indirectly, assailed; though the two contested plans, namely of disunion and of national abolition, along with their opposite theories of the Constitution, were both, of necessity, diverse from, and opposed to the Republican stand-point. *That* side of Mr. Pillsbury's "triangle" lacked its advocate at Bradford. And, we may add that, during our whole tour in Vermont, nearly three weeks, we had heard little or nothing said in defence of it. We seemed to find ourselves either with the old style Liberty party men, or with Garrisonians, chiefly the former, whom we found generally ready to listen favorably to an exposition of our advanced platform. The conviction that something beyond Republicanism is needed, seems general in Vermont, we mean Republicanism as as exhibited *out* of Vermont, and by the leaders of the party generally. And many leading minds have discerned dimly, at least, the need of something even beyond the old Liberty party.

Of the Bradford Convention we may say further, that its influence, on the whole, we cannot doubt, has been decidedly salutary, and promotive of deep anti-slavery sentiment and feeling, irrespective of the merits of the particular points in debate. We willingly accord to our Garrisonian friends their full share, and a very large share of influence in producing such a result. A majority of the speakers, and the larger part of the time of speaking, was naturally in their hands, and their time and talents were, to a great extent, well employed in unfolding the abominations and outrages of slavery, and the perils to which our beloved country is exposed.

We were cheered with many expressions of gratification with our attendance at the Convention, and with our participancy in its discussions. A number of gentlemen, including Gov. Fletcher, expressed a desire that we should remain awhile in the State, and present our views in as many places as practicable; to which we assented. They accordingly corresponded with prominent citizens in several places, in reference to making appointments for us to lecture, and the result was our lecturing quite as often as we felt able to do, up to the time necessary for us to return home. We first went to Montpelier, the capital of the State, where we lectured, and in the adjacent towns of Berlin, Barre, and East Montpelier, being obliged to decline the invitation to visit several other towns in that region. We only had time left to lecture at St. Albans, at Brandon, and at Rutland, from whence we returned home. Everywhere we found warm friends, and attentive and interested hearers. A number of editors in the State, and a correspondent of the Boston Journal, writing of the Bradford Convention which he attended, have made respectful and favorable notices of our labors. We found sale for about two hundred copies of "Our National Charters," and our second supply, by express, was exhausted before we reached St. Albans. The fields seemed in some respects ripe for the harvest; though, in other respects, we seemed to be only sowing seed. We need more laborers, and the means of sustaining them.

This was our first visit to Vermont, and may, perhaps, be our last, though we confess to an increased interest in that State, as being in a most favorable condition for becoming the *first* to take *the right* ground, on the slavery question.

The unusual mildness of the winter favored our tour among the Green Mountains. We had some fine views of them on our ride from Mountpelier to St. Albans, and afterwards, from thence to Brandon and Rutland. Beautiful villages, elegant seats, neat commodious farm-houses, well fenced and well cultivated farms, and, above all, intelligent, well educated, independent and hospitable inhabitants, everywhere greet the traveller in Vermont. No where have we found a better development or specimen of the genuine New-Englander, a more worthy representative of universal Yankeedom, eastern or western. Here it was that, long ago, Judge Harrington demanded the production of a bill of sale from the Almighty before he would deliver up a fugitive slave. Honor to his memory, and honor to his State! If American liberty is to survive, any where, it must be in Vermont—yet, not without a struggle is it to be preserved, even there.

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'THE PULPIT AND THE PEW, being the history of a struggle for justice between the two; and embracing the trials and triumphs of a year in the old parsonage. From leaves of a Pastor's journal. New York. Burdick Brothers, 8 Spruce Street, New York. 1858.

We have not proceeded far in the perusal of this work, but far enough to find that the writer is an uncompromising champion for the freedom of the pulpit to rebuke Slavery. It is appropriately dedicated "to the Church of the Puritans" (Dr. Cheever's) of New York City.—We would make a few racy Extracts from it, if we had room; but can, at present, merely refer the reader to pages 76—7.

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"FIFTY YEARS IN CHAINS, or the Life of an American Slave." New York. H. Dayton, 29 Ann Street. 1858.

This work, we are glad to notice, is highly commended by several respectable journals. We commenced perusing it as a *new* work, but had not preceeded far, before we recognized in this AMERICAN SLAVE under his new dress, our familiar acquaintance CHARLES BALL, whose Narrative, published in 1837, was somewhat extensively circulated among the abolitionists of those times. Hunting up our old copy, we found, on comparison, some of the paragraphs transferred. verbatim, others altered, condensed, and perhaps, improved. Thus 'the White Slave' of later times, was a re-production of old "Archy Moore," only *that* was expanded and *this* seems reduced. Charles Ball was accounted strong meat, twenty years ago, but babes can doubtless digest it now, since the horrors of the prison house are better known. Its new dress may give it access to new circles, from which poor old Charles Ball would be spurned. This is well. Those who have Chas. Ball's Narrative, on their shelves, well thumbed and greased, might do well to procure a fresh revised and improved copy, in the American Slave; but should not do so with the expectation of extending their circle of acquaintanceship. Many editions may there be, of the American Slave, Charles Ball,

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THE LIFE OF CHARLES SUMNER, with choice specimens of his eloquence, &c., &c. By D. A. HARSHA. H. DAYTON, 29 Ann street, New York. 1858.

The present edition of this deservedly popular work, is embellished with a fine engraved likeness of Mr. Sumner, and another plate, representing the ever memorable scene of murderous violence and meanness, in the Senate Chamber. A copy should lie on every parlor table, as a standing witness, rebuke, and watchword, so long as our country is disgraced by the presence of a slaveholder.

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